IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.59877-M of 2006

DATE OF DECISION: NOVEMBER 13, 2006

Gurmeet Singh alias Kala

...PETITIONER

VERSUS

State of Punjab

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. A.S.Jattana, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

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Petitioner Gurmeet Singh @ Kala has filed this petition under Section 482 of the Code of Criminal Procedure for setting aside or recalling the order dated 29.8.2006 passed by Additional Sessions Judge, Barnala, in case FIR No.188 dated 14.7.2004 under Sections 307/341/506/148/149 IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station Tapa, Police District Barnala, whereby he has been summoned through warrants of arrest.

I have heard the counsel for the parties.

Counsel for the petitioner contends the petitioner was on regular bail in the aforesaid FIR. However, he could not appear before the trial Court on 29.8.2006 as he was apprehending his arrest in another case i.e. FIR No.221 dated 8.8.2006 registered under Sections 364/323/148/149 IPC and Sections 25/27/54 of the Arms Act at Police Station, Barnala, as his anticipatory bail application in that case was dismissed on the same day.

Counsel for the petitioner contends that in terms of the interim order dated September 28, 2006 passed by this Court, the petitioner has appeared before the trial Court and furnished his regular bail bonds which have been accepted and attested.

In view of the aforesaid position, since the bail bonds furnished by the petitioner have been accepted and attested by the trial Court, this petition is allowed and order dated 29.8.2006 passed by the Additional Sessions Judge, Barnala, is hereby set aside.

November 13, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE